

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

NORTHERN DYNASTY
MINERALS LTD. and PEBBLE
LIMITED PARTNERSHIP,

Plaintiffs,

v.

U.S. ENVIRONMENTAL PROTECTION
AGENCY

Defendant.

Case No. 3:24-cv-00059-SLG

DECLARATION OF STEVEN SILBER

I, Steven Silber, hereby declare as follows:

1. My name is Steven Silber. I have a Bachelor of Fine Arts degree from the University of Colorado, a Master of Fine Arts degree from the Rhode Island School of Design, and a Collegiate Teaching Certificate from Brown University. I am also a Licensed Massage Therapist through the Boulder College of Massage Therapy, and I am pursuing a Master of Wilderness Therapy degree with Naropa University.

2. I make this declaration in support of Alaska Wilderness League's Motion to Intervene in the above-captioned litigation. I know these facts of my own personal knowledge and would competently testify to them if called as a witness in these proceedings.

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3. I am currently a member and supporter of Alaska Wilderness League, and I have been for 7 years.

4. I have resided in the Bristol Bay region for the past 15 years. I am the founder and director of the Chulitna Lodge Wilderness Retreat, which is situated on the shore of Lake Clark within the Bristol Bay region. I have worked as a guide in the region as well.

5. The pristine natural setting of the Bristol Bay region is essential to the success of my wilderness vacation business. My livelihood and that of my many employees depend on the continued existence of healthy waters, abundant fish and wildlife populations, magnificent views, and intact landscapes of the Bristol Bay region. The largest part of my business involves hiking and bear and wildlife viewing. The reason this is such an ideal place to do these activities cannot be described in numbers of fish or caribou. It is purely based on the pristine nature of the environment my clients seek to discover.

6. Our livelihoods do also depend on the Bristol Bay salmon fisheries. Bristol Bay salmon is the primary food source for myself and my lodge employees. More generally, salmon is the key food resource for the region, and it provides tax revenues that support our communities.

7. Pebble Mine is a major threat to salmon and wilderness in the Lake Clark area and the overall Bristol Bay region because of the disastrous ecological threat it poses

and because of the harmful effects on the land of the types of infrastructure necessary to make such a mine possible.

8. There is no question that construction and operation of the Pebble Mine, or any similar large-scale hardrock mine, and blasting a road and gas pipeline through this untouched and pristine wilderness to support such mining activities, would have extremely harmful effects and would be a disaster for my wilderness-based business.

9. I submitted comments and participated in public hearings in the permitting process for the Pebble Mine conducted by the U.S. Army Corps of Engineers as well as in the process carried out by the U.S. Environmental Protection Agency (EPA) that led to its adoption of the Final Determination under Section 404(c) of the Clean Water Act in January 2023. I have also actively worked to share information and increase awareness of the harmful impacts of the Pebble Mine project throughout my community, including posting signs, distributing stickers, and other activities.

10. Alaska Wilderness League and its members and supporters have advocated for many years in favor of EPA's 404(c) Final Determination because it protects the Bristol Bay region's salmon fisheries and wilderness character from the destructive impacts of large-scale mining. I personally support EPA's decision for these reasons as well.

11. The plaintiffs in this litigation seek to reverse EPA's important decision protecting the Bristol Bay region. This would severely harm the interests of Alaska

Wilderness League. It would also directly harm me and my wilderness lodge business, and it would degrade or eliminate the activities enjoyed by myself and my employees and guests, including hiking, bear/wildlife viewing, artistic expression, and relaxation.

12. Alaska Wilderness League and its members and supporters, including me, are not adequately represented by EPA in this lawsuit. EPA is a part of a political landscape that can be greatly affected by changes in presidential administrations. Indeed, EPA changed course in 2017 when it suddenly withdrew its Proposed Determination after a change in administration. Agency leadership could change again during the pendency of this lawsuit, especially in light of the upcoming November 2024 election. Because of this, I do not have much faith that EPA will protect the Bristol Bay environment, and this is especially true where a project with the enormous magnitude and devastating impacts of the Pebble Mine might come into being.

13. While we support EPA's Final Determination, only by intervening and gaining the rights of a party can Alaska Wilderness League be sure that its interests and those of its members and supporters are protected.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 27th day of April, 2024 in Lake Clark, Alaska.



Steven Silber

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